

SUBCHAPTER C—CONTRACTING METHODS AND CONTRACT TYPES

PART 713—SIMPLIFIED ACQUISITION PROCEDURES

Sec.

713.000 Scope of part.

Subpart 713.1—General

713.101 Definitions.

AUTHORITY: Sec. 621, Pub. L. 87-195, 75 Stat. 445, (22 U.S.C. 2381) as amended; E.O. 12163, Sept. 29, 1979, 44 FR 56673; 3 CFR 1979 Comp., p. 435.

SOURCE: 61 FR 39091, July 26, 1996, unless otherwise noted.

713.000 Scope of part.

The simplified acquisition threshold applies to the cost of supplies and services, exclusive of the cost of transportation and other accessorial costs if their destination is outside the United States.

Subpart 713.1—General

713.101 Definitions.

Accessorial costs means the cost of getting supplies or services to their destination in the cooperating country (and the travel costs of returning personnel to the U.S. or other point of hire). It does not include costs such as allowances or differentials related to maintaining personnel at post which are to be considered as part of the base costs within the simplified acquisition threshold.

PART 714—SEALED BIDDING

Subpart 714.4—Opening of Bids and Award of Contract

Sec.

714.406-3 Other mistakes disclosed before award.

714.406-4 Disclosure of mistakes after award.

AUTHORITY: Sec. 621, Pub. L. 87-195, 75 Stat. 445, (22 U.S.C. 2381) as amended; E.O. 12163, Sept. 29, 1979, 44 FR 56673; 3 CFR, 1979 Comp., p. 435.

Subpart 714.4—Opening of Bids and Award of Contract

714.406-3 Other mistakes disclosed before award.

The Procurement Executive is the designated central authority to make the determinations described in FAR 14.406-3.

[49 FR 13240, Apr. 3, 1984, as amended at 54 FR 46389, Nov. 3, 1989]

714.406-4 Disclosure of mistakes after award.

The Procurement Executive is the designated central authority to make the determinations described in FAR 14.406-4.

[49 FR 13240, Apr. 3, 1984]

PART 715—CONTRACTING BY NEGOTIATION

Subpart 715.4—Solicitation and Receipt of Proposals and Quotations

Sec.

715.413-2 Alternate II.

Subpart 715.5—Unsolicited Proposals

715.502 Policy.

715.504 Advance guidance.

715.506 Agency procedures and point of contact.

715.506-1 Receipt, and initial review.

Subpart 715.6—Source Selection

715.604 Responsibilities.

715.605-70 Responsibilities of AID evaluation committees.

715.605 [Reserved]

715.613-70 Title XII selection procedure—general.

715.613-71 Title XII selection procedure—collaborative assistance.

AUTHORITY: Sec. 621, Pub. L. 87-195, 75 Stat. 445 (22 U.S.C. 2381) as amended; E.O. 12163, Sept. 29, 1979, 44 FR 56673; 3 CFR, 1979 Comp., p. 435.

SOURCE: 49 FR 13240, Apr. 3, 1984, unless otherwise noted.

Subpart 715.4—Solicitation and Receipt of Proposals and Quotations

715.413-2 Alternate II.

(a) A contracting officer may, subject to the requirements of this section and (FAR) 48 CFR 15.413-2, authorize release of proposals outside the Government for evaluation:

(1) When an evaluation assistance contractor (EAC) is required to provide technical advisory or other services relating to the evaluation of proposals; or

(2) When an individual other than a Government employee, known as a non-Government evaluator (NGE), is selected to serve as a member of an AID technical evaluation committee.

(b) Prior to releasing proposals outside the Government for evaluation, the contracting officer shall obtain a signed and dated copy of a certification and agreement from each NGE and EAC. See paragraph (c).

(c) A certification and agreement substantially as follows:

CERTIFICATION AND AGREEMENT FOR THE USE AND DISCLOSURE OF PROPOSALS

With respect to proposals submitted in response to AID solicitation no. _____, the undersigned hereby agrees, and/or certifies, to the following:

1. I will use the proposals, and all information therein other than information otherwise available without restriction, for evaluation purposes only. I will safeguard the proposals, and will not remove them from the site at which the evaluation is conducted unless authorized by the Contracting Officer. In addition, I will not disclose them, or any information contained in them (other than information otherwise available without restriction), except as directed or approved by the Contracting Officer.

2. I will ensure that any authorized restrictive legends placed on the proposals by prospective contractors or subcontractors, or AID, will be applied to any reproduction, or abstract of information, made by me.

3. Upon completing the evaluation, I will return all copies of the proposals, and any abstracts thereof, to the AID office which initially furnished them to me.

4. Unless authorized by the contracting officer in advance in writing, I will not, whether before, during, or after the evaluation—contact any prospective contractor or subcontractor, or their employees, represent-

atives or agents, concerning any aspect of the proposal.

5. I have carefully reviewed my employment (past, present and under consideration) and financial interests, as well as those of my household family members. Based on this review, I certify, to the best of my knowledge and belief as of the date indicated below, that I either (1) have no actual or potential conflict of interest, personal or organizational, that could diminish my capacity to perform an impartial and objective evaluation of the proposals, or that might otherwise result in an unfair competitive advantage to one or more prospective contractors or subcontractors, or (2) have fully disclosed all such conflicts to the contracting officer, and will comply fully, subject to termination of my evaluation services, with any instructions by the contracting officer to mitigate, avoid, or neutralize conflicts(s). I understand that I will also be under a continuing obligation to disclose, and act as instructed concerning, such conflicts discovered at any time prior to the completion of the evaluation.

Signature: _____

Name Typed or Printed: _____

Date: _____

(2) An Optional form 333, Procurement Integrity Certification for Procurement Officials, as required by FAR 15.413-2(f)(6). The words "leave the Government" in the fourth sentence of that form mean "cease to function as a procurement official."

[60 FR 11912, Mar. 3, 1995]

Subpart 715.5—Unsolicited Proposals

715.502 Policy.

(a) AID encourages the submission of unsolicited proposals which contribute new ideas consistent with and contributing to the accomplishment of the Agency's objectives. However, the requirements for contractor resources are normally quite program specific, and thus widely varied, and must be responsive to host country needs. Further, AID's projects are usually designed in collaboration with the cooperating country. These factors can limit both the need for, and AID's ability to use unsolicited proposals. Therefore, prospective offerors are encouraged to contact AID to determine the Agency's technical and geographical requirements as related to the offeror's interests before preparing and submitting a formal unsolicited proposal.